

## PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

## NOTIFICATION OF ELECTION

(PCT Rule 61.2)

To:

Assistant Commissioner for Patents  
 United States Patent and Trademark  
 Office  
 Box PCT  
 Washington, D.C. 20231  
 ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

<b>Date of mailing (day/month/year)</b> 03 August 2000 (03.08.00)	<b>Applicant's or agent's file reference</b> PDC/AB/21009
<b>International application No.</b> PCT/IB99/01841	<b>Priority date (day/month/year)</b> 09 November 1998 (09.11.98)
<b>International filing date (day/month/year)</b> 05 November 1999 (05.11.99)	
<b>Applicant</b> REY, François et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:  
 10 May 2000 (10.05.00)

☐ in a notice effecting later election filed with the International Bureau on:  
 \_\_\_\_\_

2. The election ☒ was

☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer Pascal Piriou Telephone No.: (41-22) 338.83.38
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# PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

# PCT

NOTIFICATION OF TRANSMITTAL OF  
THE INTERNATIONAL SEARCH REPORT  
OR THE DECLARATION

(PCT Rule 44.1)

To:

**MATHYS & SQUIRE**  
Attn. Cozens, Paul Dennis  
100 Gray's Inn Road  
London WC1X 8AL  
UNITED KINGDOM

Date of mailing  
(day/month/year)

**03/03/2000**

Applicant's or agent's file reference

**PDC/AB/21009**

**FOR FURTHER ACTION**

See paragraphs 1 and 4 below

International application No.

**PCT/IB 99/01841**

International filing date  
(day/month/year)

**05/11/1999**

Applicant

**CANAL+ SOCIETE ANONYME et al.**

1. ☒ The applicant is hereby notified that the International Search Report has been established and is transmitted herewith.

**Filing of amendments and statement under Article 19:**

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

**When?** The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.

**Where?** Directly to the International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland  
Facsimile No.: (41-22) 740.14.35

**For more detailed instructions, see the notes on the accompanying sheet.**

2. ☐ The applicant is hereby notified that no International Search Report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.

3. ☐ **With regard to the protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Further action(s):** The applicant is reminded of the following:

**Shortly after 18 months** from the priority date, the international application will be published by the International Bureau.

If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

**Within 19 months** from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).

**Within 20 months** from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

Name and mailing address of the International Searching Authority



European Patent Office, P.B. 5818 Patentlaan 2  
NL-2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,  
Fax: (+31-70) 340-3016

Authorized officer

**Shantisaroop Pherai**

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions respectively.

## INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only.

### What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

### When?

Within 2 months from the date of the transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on the day they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

### Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

### How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

### What documents must/may accompany the amendments?

#### Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

1. [Where originally there were 48 claims and after amendment of some claims there are 51]:  
"Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
2. [Where originally there were 15 claims and after amendment of all claims there are 11]:  
"Claims 1 to 15 replaced by amended claims 1 to 11."
3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:  
"Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or  
"Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
4. [Where various kinds of amendments are made]:  
"Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

**"Statement under article 19(1)" (Rule 46.4)**

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

**It must be in the language in which the international application is to be published.**

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

**Consequence if a demand for international preliminary examination has already been filed**

If, at the time of filing any amendments under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the same time of filing the amendments with the International Bureau, also file a copy of such amendments with the International Preliminary Examining Authority (see Rule 62.2(a), first sentence).

**Consequence with regard to translation of the international application for entry into the national phase**

The applicant's attention is drawn to the fact that, where upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see Volume II of the PCT Applicant's Guide.

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>PDC/AB/21009</b>	<b>FOR FURTHER ACTION</b> see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. <b>PCT/IB 99/01841</b>	International filing date (day/month/year) <b>05/11/1999</b>	(Earliest) Priority Date (day/month/year) <b>09/11/1998</b>
Applicant <b>CANAL+ SOCIETE ANONYME et al.</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

## 1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

## 4. With regard to the title,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

## 5. With regard to the abstract,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☒ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

3

☐ None of the figures.

## INTERNATIONAL SEARCH REPORT

International Application No

/IB 99/01841

A. CLASSIFICATION OF SUBJECT MATTER  
IPC 7 H04N7/24

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 H04N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	DEVLIN B ET AL: "The case for real time MPEG testing" IBC - INTERNATIONAL BROADCASTING CONVENTION (CONF. PUBL. NO.447), PROCEEDINGS OF INTERNATIONAL BROADCASTING CONFERENCE, AMSTERDAM, NETHERLANDS, 12-16 SEPT. 1997, pages LP56-LP62, XP000668936 ISBN 0-85296-694-6, 1997, London, UK, IEE, UK * last section "Scanning your bouquet" * --- -/--	1-37



Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

## \* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance  
"E" earlier document but published on or after the international filing date  
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)  
"O" document referring to an oral disclosure, use, exhibition or other means  
"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

23 February 2000

Date of mailing of the international search report

03/03/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,  
Fax: (+31-70) 340-3016

Authorized officer

La, V

## INTERNATIONAL SEARCH REPORT

International Application No

IB 99/01841

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>EUROPEAN BROADCASTING UNION: "digital broadcasting systems for television, sound and data services; specification for service information (SI) in digital broadcasting (DVB) systems"</p> <p>EUROPEAN TELECOMMUNICATION STANDARD, ROPEAN TELECOMMUNICATIONS STANDARDS INSTITUTE, EU, October 1995 (1995-10), XP002079535</p> <p>cited in the application</p> <p>* section 4 *</p> <p>* sections 5.1.1 - 5.1.3, 5.2.1 - 5.2.3 *</p> <p>---</p>	1-37
A	<p>CARTWRIGHT C T: "Issues in multiplex and service management in digital multichannel broadcasting"</p> <p>IBC - INTERNATIONAL BROADCASTING CONVENTION (CONF. PUBL. NO.447), PROCEEDINGS OF INTERNATIONAL BROADCASTING CONFERENCE, AMSTERDAM, NETHERLANDS, 12-16 SEPT. 1997, pages 308-313, XP000668937</p> <p>ISBN 0-85296-694-6, 1997, London, UK, IEE, UK</p> <p>* subsections "Introduction" and "PSI and SI table summary" on page 310 *</p> <p>---</p>	1-37
A	<p>WO 98 17024 A (SARNOFF CORP)</p> <p>23 April 1998 (1998-04-23)</p> <p>page 22, line 8 - line 25</p> <p>page 25, line 30 - page 26, line 9</p> <p>---</p>	1-37
A	<p>EP 0 827 336 A (MATSUSHITA ELECTRIC IND CO LTD) 4 March 1998 (1998-03-04)</p> <p>-----</p>	

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/IB 99/01841

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
WO 9817024	A	23-04-1998	EP	0932949 A	04-08-1999
EP 0827336	A	04-03-1998	JP	10313449 A	24-11-1998

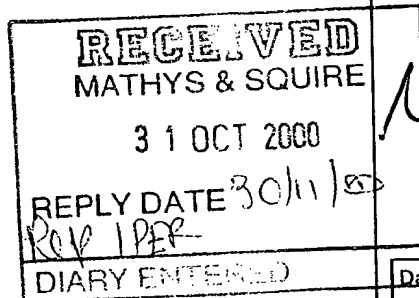


# PATENT COOPERATION TREATY

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

## PCT

To:  
Cozens, Paul Dennis  
MATHYS & SQUIRE  
100 Gray's Inn Road  
London WC1X 8AL  
GRANDE BRETAGNE



NOTIFICATION OF TRANSMITTAL OF  
THE INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT  
(PCT Rule 71.1)

Applicant's or agent's file reference PDC/AB/21009		Date of mailing (day/month/year) 27.10.2000
<b>IMPORTANT NOTIFICATION</b>		
International application No. PCT/IB99/01841	International filing date (day/month/year) 05/11/1999	Priority date (day/month/year) 09/11/1998
Applicant CANAL+ SOCIETE ANONYME et al.		

- The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
- A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
- Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

#### 4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA/  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer  SCHALINATUS, D  Tel. +49 89 2399-8242
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**PCT**

**INTERNATIONAL PRELIMINARY EXAMINATION REPORT**

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference <b>PDC/AB/21009</b>		<b>FOR FURTHER ACTION</b>	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. <b>PCT/IB99/01841</b>	International filing date (day/month/year) <b>05/11/1999</b>	Priority date (day/month/year) <b>09/11/1998</b>	
International Patent Classification (IPC) or national classification and IPC <b>H04N7/24</b>			
Applicant <b>CANAL+ SOCIETE ANONYME et al.</b>			

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.


2. This REPORT consists of a total of 7 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☒ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand  <b>10/05/2000</b>	Date of completion of this report  <b>27.10.2000</b>
Name and mailing address of the international preliminary examining authority:   <b>European Patent Office</b> <b>D-80298 Munich</b> <b>Tel. +49 89 2399 - 0 Tx: 523656 epmu d</b> <b>Fax: +49 89 2399 - 4465</b>	Authorized officer  <b>Montanari, M</b>  Telephone No. <b>+49 89 2399 2602</b>



**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/IB99/01841

**I. Basis of the report**

1. This report has been drawn on the basis of *(substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.)*:

**Description, pages:**

1-27 as originally filed

**Claims, No.:**

1-37 as originally filed

**Drawings, sheets:**

1/6-6/6 as originally filed

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages:  
☐ the claims, Nos.:  
☐ the drawings, sheets:

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

4. Additional observations, if necessary:

**III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability**

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:

- ☐ the entire international application.  
☒ claims Nos. 33-37.

because:

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/IB99/01841

☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (*specify*):

☒ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. 33-37 are so unclear that no meaningful opinion could be formed (*specify*):

**see separate sheet**

☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.

☐ no international search report has been established for the said claims Nos. .

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Yes:	Claims	1-32
	No:	Claims	
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1-32
Industrial applicability (IA)	Yes:	Claims	1-32
	No:	Claims	

**2. Citations and explanations**

**see separate sheet**

**VII. Certain defects in the international application**

The following defects in the form or contents of the international application have been noted:

**see separate sheet**

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/IB99/01841

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**VIII. Certain observations on the international application**

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

**see separate sheet**

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

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International application No. PCT/IB99/01841

The examination is being carried out on the **following application documents**:

Text for the Contracting States:

AT BE CH DE DK ES FI FR GB GR IT IE LI LU MC NL PT SE

**Description, pages:**

1-27 as originally filed

**Claims, No.:**

1-37 as originally filed

**Drawings, sheets:**

1/6-6/6 as originally filed

1. Reference is made to the following document:

D1: EUROPEAN COMMUNICATION STANDARD INSTITUTE, ETS300468

2. Although **claims 1, 13, 17, 27, and 30 to 32** have been drafted as separate independent claims, they appear to relate effectively to the same subject-matter and to differ from each other only with regard to the definition of the subject-matter for which protection is sought and/or in respect of the terminology used for the features of that subject-matter. The aforementioned claims therefore lack conciseness. Moreover, lack of clarity of the claims as a whole arises, since the plurality of independent claims makes it difficult to determine the matter for which protection is sought, and places an undue burden on others seeking to establish the extent of the protection.

Hence, these claims do not meet the requirements of Article 6 PCT.

3. **Claim 1**

Document D1 discloses (see page 17, last paragraph) that the BAT is segmented into sections and that "the sections of a BAT sub-table describing a particular bouquet shall have the bouquet\_id field taking the value assigned to the bouquet...". Further, the BAT also includes information identifying the transport stream (see D1, page 19, lines 9-10).

Finally, it seems that the structure of the various sections of the BAT enables the decoder to identify (using the wording of claim 1) "at least one of the bouquet related tables with the corresponding said at least one transport stream".

Therefore claim 1, at least in its present wording, appears to lack inventive step (Article 33(3) PCT) because it appears to be within the capabilities of the skilled person to provide, if necessary, a further table including the above-mentioned information, which is already present in the various BAT sections.

4. The above objection also applies to independent **claims 13, 17, 27, and 30 to 32** since their subject-matter is strictly related to the subject-matter of claim 1 and is worded in a similar way.
5. The subject-matter of **independent claims 33 to 37** lacks clarity (Article 6 PCT) because the subject-matter for which protection is sought is not defined. For the above reason the examination of the subject-matter of these claims in relation to the prior art cannot be carried out. Furthermore, the wording of these claims does not meet the requirements of Rule 6.2(a) PCT.
7. Seen in the context of the aforementioned interpretation of claim 1's wording, the additional features disclosed in the **dependent claims** appear to be included in the disclosure of document D1, or they are considered to be within the capabilities of the skilled person, and therefore they do not appear to add anything inventive to the subject-matter of the claims on which they depend. These claims are therefore considered not to meet the requirements of Article 33(3) PCT.
8. The claims are not in the two-part form in accordance with Rule 6.3(b) PCT, which

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

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International application No. PCT/IB99/01841

in the present case would be appropriate, with those features known in combination from the prior art (document D1) being placed in a preamble (Rule 6.3(b)(i) PCT) and with the remaining features being included in a characterising part (Rule 6.3(b)(ii) PCT).

9. The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).
10. Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the document D1 is not mentioned in the description, nor is this document identified therein.



# PATENT COOPERATION TREATY

From the:  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:  
Cozens, Paul Dennis  
MATHYS & SQUIRE  
100 Gray's Inn Road  
London WC1X 8AL  
GRANDE BRETAGNE

**RECEIVED**  
MATHYS & SQUIRE

31 JUL 2000

REPLY DATE 27/10/00  
*Reply written opin*  
DIARY ENTERED  
*Rep OA-27/8*

PCT

WRITTEN OPINION

(PCT Rule 66)

Applicant's or agent's file reference PDC/AB/21009		Date of mailing (day/month/year)	27.07.2000
REPLY DUE		within 3 month(s) from the above date of mailing	
International application No. PCT/IB99/01841	International filing date (day/month/year) 05/11/1999	Priority date (day/month/year) 09/11/1998	
International Patent Classification (IPC) or both national classification and IPC H04N7/24			
Applicant CANAL+ SOCIETE ANONYME et al.			


- This written opinion is the first drawn up by this International Preliminary Examining Authority.
- This opinion contains indications relating to the following items:
  - I ☒ Basis of the opinion
  - II ☐ Priority
  - III ☒ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
  - IV ☐ Lack of unity of invention
  - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
  - VI ☐ Certain document cited
  - VII ☒ Certain defects in the international application
  - VIII ☒ Certain observations on the international application
- The applicant is hereby invited to reply to this opinion.
 

**When?** See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(d).

**How?** By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

**Also:** For an additional opportunity to submit amendments, see Rule 66.4.  
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4 bis.  
For an informal communication with the examiner, see Rule 66.6.

**If no reply is filed,** the international preliminary examination report will be established on the basis of this opinion.
- The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 09/03/2001.

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## WRITTEN OPINION

International application No. PCT/IB99/01841

### I. Basis of the opinion

1. This opinion has been drawn on the basis of (*substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed".*):

#### Description, pages:

1-27 as originally filed

#### Claims, No.:

1-37 as originally filed

#### Drawings, sheets:

1/6-6/6 as originally filed

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

3. This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

4. Additional observations, if necessary:

### III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been and will not be examined in respect of:

- ☐ the entire international application,
- ☒ claims Nos. 33-37,

because:

- ☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (*specify*):

- ☒ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. 33-37 are so unclear that no meaningful opinion could be formed (*specify*):

**see separate sheet**

- ☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.
- ☐ no international search report has been established for the said claims Nos. .

**V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Claims
Inventive step (IS)	Claims 1-32
Industrial applicability (IA)	Claims

**2. Citations and explanations**

**see separate sheet**

**VII. Certain defects in the international application**

The following defects in the form or contents of the international application have been noted:

**see separate sheet**

**VIII. Certain observations on the international application**

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

**see separate sheet**

**WRITTEN OPINION  
SEPARATE SHEET**

International application No. PCT/IB99/01841

The examination is being carried out on the **following application documents**:

Text for the Contracting States:

AT BE CH DE DK ES FI FR GB GR IT IE LI LU MC NL PT SE

**Description, pages:**

1-27 as originally filed

**Claims, No.:**

1-37 as originally filed

**Drawings, sheets:**

1/6-6/6 as originally filed

1. Reference is made to the following document:

D1: EUROPEAN COMMUNICATION STANDARD INSTITUTE, ETS300468

2. Although **claims 1, 13, 17, 27, and 30 to 32** have been drafted as separate independent claims, they appear to relate effectively to the same subject-matter and to differ from each other only with regard to the definition of the subject-matter for which protection is sought and/or in respect of the terminology used for the features of that subject-matter. The aforementioned claims therefore lack conciseness. Moreover, lack of clarity of the claims as a whole arises, since the plurality of independent claims makes it difficult to determine the matter for which protection is sought, and places an undue burden on others seeking to establish the extent of the protection.

Hence, these claims do not meet the requirements of Article 6 PCT.

3. In order to overcome this objection, it would appear appropriate to file an

amended set of claims defining the relevant subject-matter in terms of a single or a minimum number of independent claims in each category followed by dependent claims covering features which are merely optional (Rule 6.4 PCT).

4. **Claim 1**

Document D1 discloses (see page 17, last paragraph) that the BAT is segmented into sections and that "the sections of a BAT sub-table describing a particular bouquet shall have the bouquet\_id field taking the value assigned to the bouquet...". Further, the BAT also includes information identifying the transport stream (see D1, page 19, lines 9-10). Finally, it seems that the structure of the various sections of the BAT enables the decoder to identify (using the wording of claim 1) "at least one of the bouquet related tables with the corresponding said at least one transport stream".

Therefore claim 1, at least in its present wording, appears to lack inventive step (Article 33(3) PCT) because it appears to be within the capabilities of the skilled person to provide, if necessary, a further table including the above-mentioned information, which is already present in the various BAT sections.

5. The above objection also applies to independent **claims 13, 17, 27, and 30 to 32** since their subject-matter is strictly related to the subject-matter of claim 1 and is worded in a similar way.

6. The subject-matter of **independent claims 33 to 37** lacks clarity (Article 6 PCT) because the subject-matter for which protection is sought is not defined.

For the above reason the examination of the subject-matter of these claims in relation to the prior art cannot be carried out.

Furthermore, the wording of these claims does not meet the requirements of Rule 6.2(a) PCT.

7. Seen in the context of the aforementioned interpretation of claim 1's

wording, the additional features disclosed in the **dependent claims** appear to be included in the disclosure of document D1, or they are considered to be within the capabilities of the skilled person, and therefore they do not appear, at least for the time being, to add anything inventive to the subject-matter of the claims on which they depend.

These claims are therefore considered not to meet the requirements of Article 33(3) PCT.

8. The applicants are invited to file new claims which take account of the above comments and to redraft the claims in the proper two-part form (Rule 6.3(b) PCT) thereby respecting the cited prior art in the precharacterizing portion.
9. Reference signs in parentheses should be inserted in the claims to increase their intelligibility, Rule 6.2(b) PCT.
10. The description must be brought into conformity with the new claims to be filed.



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## Correspondence with the EPO on PCT Chapter II demands

In order to ensure that your PCT Chapter II demand is dealt with as promptly as possible you are requested to use the enclosed self-adhesive labels with any correspondence relating to the demand sent to the Munich Office.

One of these labels should be affixed to a prominent place in the upper part of the letter or form etc. which you are filing.